

JD

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PENNY ALLISON and ZORAN
HOCEVAR, individually and
on behalf of a class of others
similarly situated,

Plaintiffs,

v.

THE GEO GROUP, INC, in its
official and individual capacities,
and JOHN DOES 1 — 100, in their
official and individual capacities,

Defendants.


CLASS ACTION

No. 2:08-cv-00467-JD

JURY TRIAL
DEMANDED

**[PROPOSED] ORDER AND STIPULATION
CONCERNING DEFENDANT THE GEO
GROUP, INC.'S MOTION TO DISMISS CERTAIN
COUNTS OF PLAINTIFFS' AMENDED COMPLAINT**

FILED

MAY 30 2008
MICHAEL E. KUNZ, Clerk
By  Dep. Clerk

WHEREAS, this action was commenced on January 30, 2008;

WHEREAS, Plaintiffs filed an Amended Complaint on March 28 (the
"Amended Complaint") (Docket Entry No. 16);

WHEREAS, the Parties stipulated and agreed that Defendant The
GEO Group Inc.'s time to answer or otherwise respond to the Amended
Complaint was up to and including May 2, 2008 (*see* Docket Entry No. 21);

WHEREAS, on May 2, Defendant filed a Motion and accompanying
Memorandum of Law requesting that the Court dismiss Counts IV (Battery),
VI (Intentional Infliction of Emotional Distress), and VII (Negligent Infliction

of Emotional Distress) of the Amended Complaint only (the "Motion to Dismiss") (Docket Entry No. 24);

WHEREAS, counsel for the Parties have conferred, and have agreed that Plaintiffs will not oppose the Motion to Dismiss;

WHEREAS, counsel for the Parties have also conferred and agreed that, provided that the Court approves this Proposed Stipulation and Order, Defendant The GEO Group, Inc. shall file an Answer directed to the remaining allegations of the Amended Complaint within twenty (20) days of the date of this Court's Order:

IT IS, this 30th day of MAY, 2008,

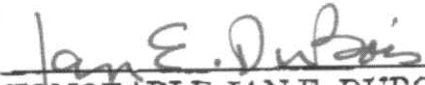
ORDERED that Defendant The GEO Group, Inc.'s unopposed Motion to Dismiss directed to Counts IV, VI, and VII of the Amended Complaint is **GRANTED** and Counts IV, VI, and VII of the Amended Complaint are **DISMISSED** from this action **WITH PREJUDICE**.

IT IS FURTHER ORDERED that Defendant The GEO Group, Inc. shall, within twenty (20) days of the entry of this Order, file an Answer directed to those paragraphs of the Amended Complaint that are not contained in Counts IV, VI, and VII thereof. Defendants need not Answer or otherwise respond to the allegations contained in paragraphs 77-80 and 86-96 of the Amended Complaint;

IT IS FURTHER ORDERED that the Amended Complaint shall, subject to the instant Order, remain the operative complaint in this action until further Order of the Court or by subsequent agreement of the Parties pursuant to FED. R. Civ. P. 15;

IT IS FURTHER ORDERED that the Court's Scheduling Order of April 24 (Docket Entry No. 22) remains in full effect, and is unaffected by the instant Order.

IT IS SO ORDERED.


HONORABLE JAN E. DUBOIS
UNITED STATES DISTRICT JUDGE

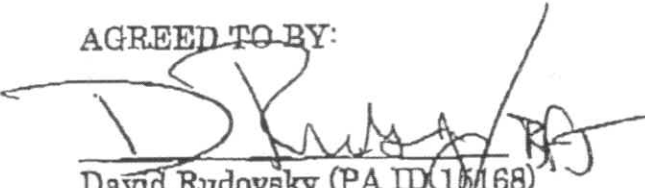
ENTERED

JUN 02 2008

CLERK OF COURT

5/30/08 faxed
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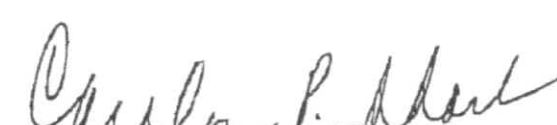
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MODE = MEMORY TRANSMISSION

START=MAY-30 15:52

END=MAY-30 16:08

FILE NO.=784

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**IN THE UNITED STATES DISTRICT COURT
 FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FAX COVER SHEET

DATE: May 30, 2008

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FROM: Andrew J. Follmer, Deputy Clerk to Honorable Jan E. DuBois
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Message:

Total Number of Pages (Including Cover Sheet): xx